

REQUEST FOR COUNCIL ACTION

MEETING
DATE: 02-19-03

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AGENDA SECTION: PUBLIC HEARINGS	ORIGINATING DEPT: PLANNING	ITEM NO. E-10
ITEM DESCRIPTION: Preliminary Plat #02-62 by Leslie Lurken to be known as Wedgewood Hills 6 th . The applicant is proposing to subdivide approximately 6.68 acres of land into 25 lots for single family development and one Outlot. The plat also proposes to dedicate right-of-way for two public roads. The property is located along the south of Duvall Street NW and allows for the continuation of 54 th Avenue NW.		PREPARED BY: Theresa Fogarty, Planner

February 10, 2003

City Planning and Zoning Commission Recommendation:

The City Planning and Zoning Commission held a public hearing on January 22, 2003 to consider this preliminary plat.

The applicant's representative, Mr. Josh Johnson of McGhie & Betts, addressed the Commission and stated that the applicant was in agreement with all staff-recommended conditions.

The Planning Commission found that this preliminary plat will conform with the applicable criteria with the following conditions or modifications:

1. The Plat shall be revised:

- a. *Provide a 30' outlot consistent with Section 64.227 of the Rochester Zoning Ordinance and Land Development Manual providing connection from currently unplatted land located west of this plat. Staff is suggesting that the mid-block connection be placed between Lots 5 & 6, Block 1. The mid-block connection shall be dedicated to the City, with the pedestrian path links constructed at the Developer's expense, concurrent with construction through the City-Owner Contract process.*
2. *The applicant has met the parkland dedication requirements via: Reduction in previously established credits resulting from the dedication of the ± 6 acre park in the subdivision. The applicant shall receive credits for the dedication of the 0.09 acre Outlot A of this plat. Outlot A shall be dedicated to the City and shall be graded and seeded to turf prior to dedication and this Outlot shall serve as park access on the west side of Wedgewood Hills Park, lying east of this plat.*
3. *Pedestrian Facilities shall be constructed along both sides of Duvall Street NW and 54th Avenue NW and concurrent with this development or as specified in the executed Development Agreement, the Developer is obligated to construct a 10 foot wide bituminous pedestrian path within Outlot 'A'.*
4. *Stormwater Management shall be provided for this development. If participation in the City's Storm Water Management Plan (SWMP) is approved, a Storm Water Management Fee shall apply for the benefit of participation in those areas where on-site detention is not provided.*
5. *This property is within the area designated for the Northwest Area Transportation Improvement District, and shall be subject to a TID area charge based on the gross acreage of the subdivision.*

Mr. Staver moved to recommend approval of Preliminary Plat #02-62 by Leslie A. Lurken to be known as Wedgewood Hills 6th with staff-recommended findings and conditions. Mr. Haeussinger seconded the motion. The motion carried 5-0, with Mr. Ohly abstaining.

COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____

Planning Department Recommendation:

See attached staff report, dated January 17, 2003.

Council Action Needed:

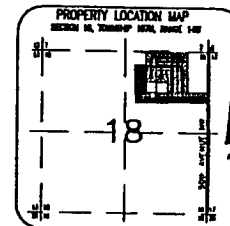
1. *The Council may approve, approve with conditions, or deny the land subdivision permit. The Council must make findings of fact based on the criteria included in the staff report. A motion to deny must include supporting reasons for a conclusion that at least one of the fifteen findings for denial in paragraph 61.225 can be made.*

Attachments:

1. Staff report, dated January 17, 2003.
2. Minutes of the January 22, 2003 CPZC Meeting.

Distribution:

1. City Administrator
2. City Attorney
3. Planning Department File
4. Planning Department, GIS Division
5. Applicant: This item will be considered sometime after 7:00 p.m. on Wednesday, February 19, 2003 in the Council Chambers at the Rochester / Olmsted County Government Center.
6. McGhie & Betts, Inc.



02-6-211

That part of the Northeast Quarter of Section 18, Township 107 North, Range 14 West, Olmsted County, Minnesota, described as follows:

Commencing at the northeast corner of said Northwest Quarter; thence South 88 degrees 29 minutes 36 seconds West, 100.00 feet; along the north line hereafter, 1970.53 feet to the northeast corner of WEDGEWOOD HILLS TRACT; thence South 00 degrees 30 minutes 21 seconds East, along the west line hereafter, 444.98 feet for the point of beginning; thence South 88 degrees 30 minutes 22 seconds East along said west line, 861.53 feet to the northeast corner of WEDGEWOOD HILLS TRACT (the next three corners are along said north line); thence South 88 degrees 29 minutes 36 seconds West, 101.00 feet; thence South 00 degrees 30 minutes 21 seconds East, 22.98 feet; thence South 88 degrees 29 minutes 36 seconds West, 135.50 feet; thence North 00 degrees 30 minutes 21 seconds East, 904.50 feet to the south line of said Northwest Quarter; thence North 88 degrees 29 minutes 36 seconds East, 328.51 feet to the point of beginning.

Containing 5.51 gms.

WILLY LUCKING added:
An individual answer to the construction
and maintenance of all necessary equipment as
current public officials including rights to
conduct drainage and licensing as well as current

STORAGE FACILITIES—about
An estimated amount for the operation and
maintenance of railroads, both surface and
underground, during war, excess, and under
normal conditions.

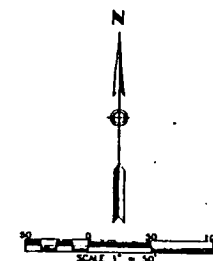
WEDGEWOOD HILLS SIXT	
SITE DATA SUMMARY	
TOTAL ACREAGE	6.68
ACREAGE DEVOTED TO PUBLIC USE	1.48
NUMBER OF LOTS R-1 ZONE	23
NUMBER OF OUTLOTS	1

PRELIMINARY
PLAT

PREPARED: 11/2011

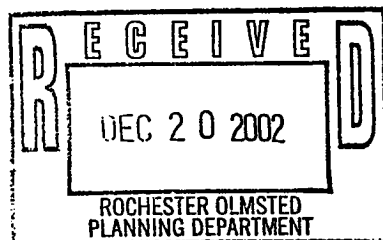
OWNER & DEVELOPER
LAR CONSTRUCTION

I hereby certify that this money, plus, or minus
was prepared by me or under my direct supervision
and that I am a duly Licensed Land Surveyor under
the laws of the State of Missouri.



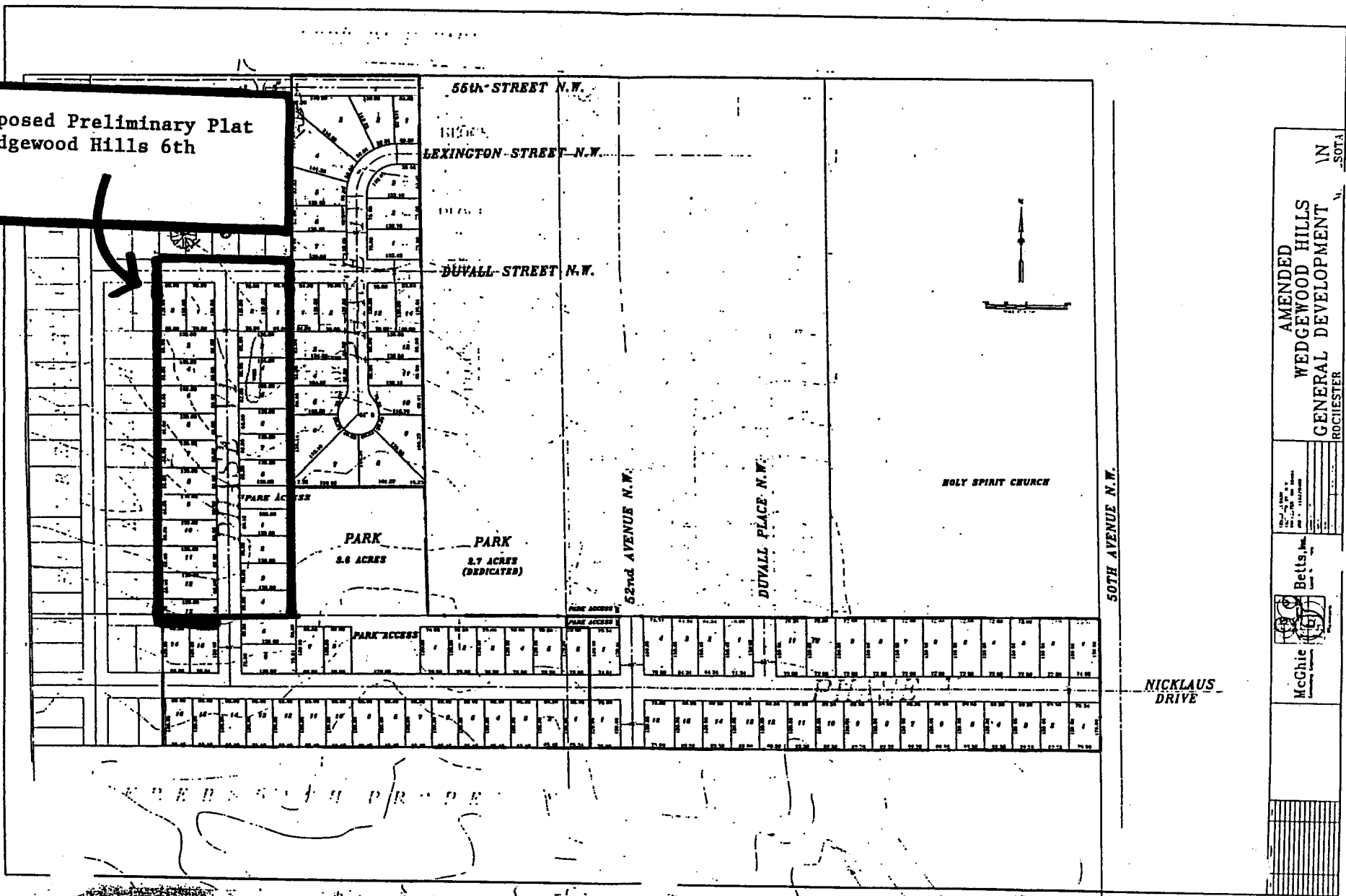
PRODUCED BY
HUGHES & BOFF, INC.
COMMERCIAL ENCRYPTION
PRODUCTS AND SERVICES

WEDGEWOOD HILLS SIXTH

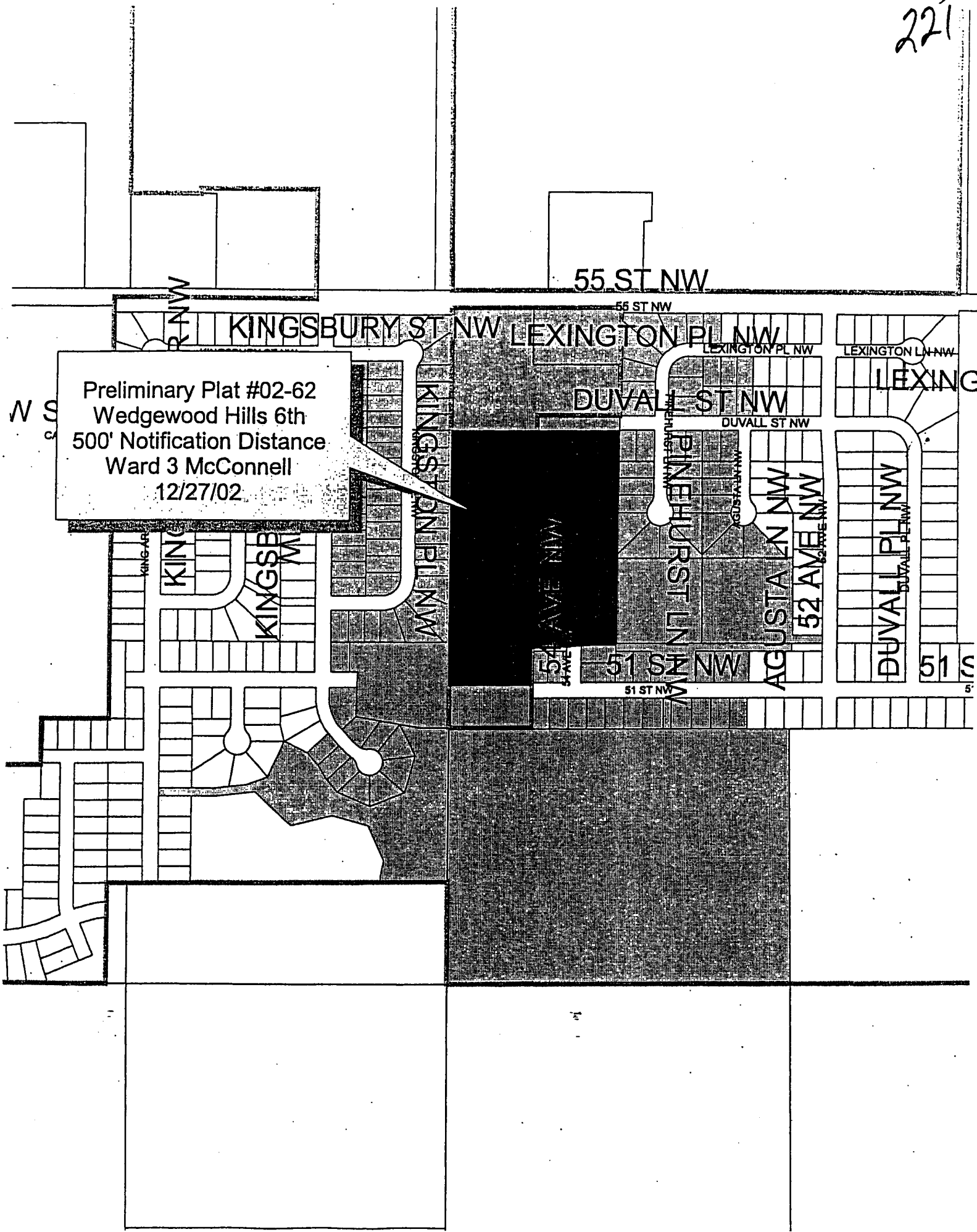


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Proposed Preliminary Plat
Wedgewood Hills 6th



McChie		Betts & Co.		AMENDED WEDGEWOOD HILLS GENERAL DEVELOPMENT IN ROCHESTER	N. SOTA



Preliminary Plat #02-62
Wedgewood Hills 6th
500' Notification Distance
Ward 3 McConnell
12/27/02

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ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

COUNTY OF

Olmsted

www.olmstedcounty.com/planning



TO: City Planning and Zoning Commission

FROM: Theresa Fogarty, Planner

DATE: January 17, 2003

RE: Preliminary Plat #02-62 by Leslie Lurken to be known as Wedgewood Hills 6th. The applicant is proposing to subdivide approximately 6.68 acres of land into 25 lots for single family development and one Outlot. The plat also proposes to dedicate right-of-way for two public roads. The property is located along the south of Duvall Street NW and allows for the continuation of 54th Avenue NW.

Planning Department Review:

Applicant/Owner:

Leslie A. Lurken
1027 NW 7th Street
Rochester, MN 55901

Surveyors/Engineers:

McGhie & Betts
Attn. Josh Johnson
1648 Third Avenue SE
Rochester, MN 55904

Referral Comments:

Park and Rec. Department
Rochester Public Works Department
Rochester Public Utilities – Water Division
Rochester Fire Department
MN Department of Transportation

Report Attachments:

1. Land Development Manual Excerpts
2. Referral Comments (5 letters)
3. Copy of Preliminary Plat
4. Location Map
5. Wedgewood Hills Amended General Development Plan

Development Review:

Location of Property:

The property is located along the south of Duvall Street NW and west of Wedgewood Hills Third Subdivision.

Zoning:

The property is zoned R-1 (Mixed Single Family Residential) district on the City of Rochester Zoning Map.

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Proposed Development:

This development consists of 6.68 acres of land to be subdivided into 25 lots for single family detached housing, and one outlot.

Roadways:

This plat proposes to dedicate right-of-way for two new roadways.

The first roadway labeled as "54th Avenue NW" is a continuation from the south and is designed with a 56' right-of-way.

The second roadway labeled as "Duvall Street NW" is a continuation from the east and is designed with a 56' right-of-way.

This property is within the area designated for the Northwest Area Transportation Improvement District, and will be subject to the TID area charge based on the gross acreage of the subdivision.

Pedestrian Facilities:

A Development Agreement has been executed for this property. In accordance with the executed the Development Agreement, pedestrian facilities shall be constructed along both sides of Duvall Street NW and 54th Avenue NW. Concurrent with this development or as specified in the executed Development Agreement, the Developer is obligated to construct a 10 foot wide bituminous pedestrian path within Outlot 'A'.

Section 64.227 of the Land Development Manual requires the dedication of trails needed to maintain connectivity between and through subdivisions under the following circumstance "Across any block exceeding 800 feet in length. According to the proposed preliminary plat, Block 1 exceeds the 800 feet in length. A mid-block connection (30' wide outlot) is required providing connection from the currently unplatted land located west of this plat. Staff is suggesting that the mid-block connection be placed between Lots 5 & 6, Block 1. The mid-block connection shall be dedicated to the City as an outlot, with the pedestrian path links constructed at the Developer's expense, concurrent with construction through the City-Owner Contract process.

Drainage:

The topography generally drains to the north. The elevations range from about 1140' along the south and of this plat and 1110' along the north of this plat.

Storm Water Management must be provided for this development. If participation in the City's Storm Water Management Plan (SWMP) is approved, a Storm Water Management Fee will apply for the benefit of participation in those areas where on-site detention is not provided.

- Wetlands:** The Soil Survey and National Wetland Indicator maps were reviewed for the presence of wetlands. The maps do not indicate the presence of wetlands on this property.
- Public Utilities:** Static water pressure within this area will range from 59 to 76 PSI.
- Spillover Parking:** As per Section 63.426 of the LDM, all residential development must provide spillover parking for service vehicles and visitors. This development requires 30 spillover parking stalls. It appears as though the additional parking can be accommodated on the roadways and most likely within private driveways, as well, for the single family homes.
- Parkland Dedication:** The Park & Recreation Department recommends that dedication requirements be met via: Reduction in previously established credits resulting from dedication of a ± 6 park in the subdivision.
- The applicant shall receive credits for the dedication of the 0.09 acre Outlot A of this plat. Outlot A shall be dedicated to the city and shall occur once the property is graded and seeded to turf prior to dedication. The outlot shall serve as park access to the west side of Wedgewood Hills Park, lying east of this plat.
- General Development Plan:** This property is included within the Wedgewood Hills General Development Plan, amended in 1999. This plat is generally consistent with the amended GDP.

Staff Review and Recommendation:

Section 61.225 of the Land Development Manual lists the findings which must be considered by the Planning Commission and the Council when reviewing a land subdivision permit application. This section is attached for your information.

The Planning staff has reviewed this preliminary plat request for compliance with the Rochester Zoning Ordinance and Land Development Manual including Section 61.225 of the LDM. The staff recommends approval with the following conditions / modifications:

1. The Plat shall be revised to:

- a. ***Provide a 30' outlot consistent with Section 64.227 of the Rochester Zoning Ordinance and Land Development Manual providing connection from the currently unplatted land located west of this plat. Staff is suggesting that the mid-block connection be placed between Lots 5 & 6, Block 1. The mid-block connection shall be dedicated to the City, with the pedestrian path links constructed at the Developer's expense, concurrent with construction through the City-Owner Contract process.***

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2. *The applicant has met the parkland dedication requirements via: Reduction in previously established credits resulting from the dedication of the ± 6 acre park in the subdivision. The applicant shall receive credits for the dedication of the 0.09 acre Outlot A of this plat. Outlot A shall be dedicated to the City and shall be graded and seeded to turf prior to dedication and this outlot shall serve as park access on the west side of Wedgewood Hills Park, lying east of this plat.*
3. *Pedestrian Facilities shall be constructed along both sides of Duvall Street NW and 54th Avenue NW and concurrent with this development or as specified in the executed Development Agreement, the Developer is obligated to construct a 10 foot wide bituminous pedestrian path within Outlot 'A'.*
4. *Stormwater Management shall be provided for this development. If participation in the City's Storm Water Management Plan (SWMP) is approved, a Storm Water Management Fee shall apply for the benefit of participation for those areas where on-site detention is not provided.*
5. *This property is within the area designated for the Northwest Area Transportation Improvement District, and shall be subject to a TID area charge based on the gross acreage of the subdivision.*

Reminder to Applicant:

- **Prior to development, the property owner will need to execute a City / Owner Contract for construction of all public infrastructure and utilities to serve this subdivision.**
- **This Plat is subject to the Subdivision regulations which became effective May 15, 1999. Approved grading, drainage and construction plans and an executed Development Agreement will need to be submitted with the final plat application, if the applicant intends to record the final plat documents prior to completion of infrastructure improvements.**

CITY OF ROCHESTER
ZONING ORDINANCE AND LAND DEVELOPMENT MANUAL
EXCERPTS

61.225 Finding for Land Subdivision:

The Zoning Administrator, Commission or Council shall approve a development permit authorizing a land subdivision if all of the following findings with respect to the proposed development are made:

- A. The proposed land subdivision conforms to all relevant requirements of this ordinance and variances have been granted to permit any nonconformance.
- B. That the proposed water system and sanitary sewer system are adequate to serve the normal and fire protection demands of proposed development and to provide for the efficient and timely extension to serve future development.
- C. That the plan for soil erosion and stormwater management meets the adopted standards of the City of Rochester and is consistent with the adopted Stormwater Management Plan or adopted drainage or stormwater policies.
- D. That the vehicular and non-motorized system is consistent with adopted transportation plans and is consistent with the street layout standards listed in Section 64.120 and traffic service standards in Section 61.526.
- E. That the lot and block layout provide for safe and convenient vehicular, service and emergency access, efficient utility service connections, and adequate buildable area in each lot for planned uses.
- F. That the proposed land subdivision has taken into account the current 6-Year and other Long-Range Capital Improvements Programs and the elements listed therein in the design of the subdivision.
- G. That the proposed subdivision, if in a resident zoning district, -addresses the need for spillover parking consistent with the requirements of Section 63.426.
- H. That right-of-ways and easements of adequate size and dimensions are -provided for the purpose of constructing the street, utility, and drainage facilities needed to serve the development.
- I. That the proposed parks, trail thoroughfares and open space dedications are consistent with adopted plans, policies and regulations.
- J. That the proposed subdivision will not have off-site impacts on the street, drainage, water or wastewater systems that exceed adopted standards.
- K. That the proposed subdivision will not have adverse impacts on the safety or viability of permitted uses on adjacent properties.
- L. That the proposed land subdivision is designed in such a manner as to allow for continued development in an efficient manner on adjacent undeveloped lands.

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- M. That the soils, topography and water tables have been adequately studied to ensure that all lots are developable for their designated purposes.
- N. That the proposed land subdivision is consistent with the standards of the City's adopted Comprehensive Plan.
- O. That any land located within Zone A as shown as on the currently adopted Flood Boundary and Floodway Maps of the Flood Insurance Study, Rochester, Minnesota prepared by the Federal Emergency Management Agency, is -determined to be suitable for its intended use and that the proposed subdivision adequately mitigates the risks of flooding, inadequate drainage, soil and rock formations with severe limitation for development, severe erosion potential or any other floodplain related risks to the health, safety or welfare of the future residents of the proposed subdivision in a manner consistent with this ordinance.
- P. That the proposed land subdivision, if approved, would not result in a violation of federal or state law, or city or county ordinance.

61.226 Conditions on Approvals:

In considering an application for development permit to allow a land subdivision, the approving body shall consider and may impose modification or conditions to the extent that such modifications or conditions are necessary to insure compliance with the criteria of Section 61.225.

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ROCHESTER PARK AND RECREATION DEPARTMENT
201 FOURTH STREET SE
ROCHESTER MINNESOTA 55904-3769
TELE 507-281-6160
FAX 507-281-6165

MEMORANDUM

DATE: December 31, 2002
TO: Jennifer Garness
Planning
RE: Wedgewood Hills 6th
Preliminary Plat #02-62

Acreage of plat.....	6.68 a
Number of dwelling units.....	25 units
Density factor.....	.0244
Dedication	0.61 ac
Fair market value of land.....	na

The Park and Recreation Department recommends that dedication requirements be met via: Reduction in previously established credits resulting from dedication of a ± 6 acre park in the subdivision.

The applicant should receive credits for the dedication of the 0.09 acre Outlot A of this plat. The outlot should be graded and seeded to turf prior to dedication. The outlot will serve as park access on the west side of Wedgewood Hills Park.

ROCHESTER

— Minnesota —

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TO: Consolidated Planning Department
2122 Campus Drive SE
Rochester, MN 55904

DEPARTMENT OF PUBLIC
WORKS
201 4th Street SE Room 108
Rochester, MN 55904-3740
507-287-7800
FAX - 507-281-6216

FROM: Mark E. Baker

DATE: 1/10/03

The Department of Public Works has reviewed the application for PP#02-62, on the Wedgewood Hills Sixth property. The following are Public Works comments on the proposal:

1. A Development Agreement has been executed for this property.
2. Preliminary Construction Plan comments will be provided separately to the Developer's Engineer.
3. Storm Water Management must be provided for this development. If participation in the City's Storm Water Management Plan (SWMP) is approved, a Storm Water Management fee will apply for the benefit of participation for those areas where on-site detention is not provided.
4. Prior to development of this property, a City-Owner Contract must be executed to address the construction of all public infrastructure and utilities to serve this subdivision.
5. Outlot 'A' shall be dedicated to the City for public access to the Parkland in Wedgewood Hills 3rd, lying east of this plat.
6. The Developer is obligated to construct the 10 foot wide bituminous pedestrian path within Outlot 'A', as well as, concrete sidewalk along both sides of Duvall Street NW, and 54th Ave NW, concurrent with development of this property, or as specified in the executed Development Agreement.
7. This property is within the area designated for the Northwest Area Transportation Improvement District, and will be subject to a TID area charge based on the gross acreage of the subdivision.

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ROCHESTER

— Minnesota —

TO: Consolidated Planning Department
2122 Campus Drive SE
Rochester, MN 55904

DEPARTMENT OF PUBLIC
WORKS

201 4th Street SE Room 108
Rochester, MN 55904-3740
507-287-7800
FAX – 507-281-6216

FROM: Mark E. Baker

Charges/fees applicable to the development of this property are addressed in the Development Agreement, and include:

- ❖ Sewer Availability Charge (SAC) @ \$3,313.76 per developable acre for the southerly portion of this subdivision that would naturally drain to Service District 28F.
- ❖ Sewer Availability Charge (SAC) for the remainder of this property that would naturally drain to Sewer District 28G, at the rate for that district (yet to be established).
- ❖ Water Availability Charge (WAC) @ \$1790.25 per developable acre.
- ❖ A Stormwater Management Fee @ \$2211.76 per acre, for any area of this property that does not drain toward a detention facility, constructed by the Owner, to serve this property.
- ❖ Northwest Transportation Improvement District (NWTID) @ \$2007.14 per gross acre
- ❖ Traffic Signs as determined by the City of Rochester Traffic Division:



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January 6, 2003

Rochester-Olmsted
CONSOLIDATED PLANNING DEPARTMENT
2122 Campus Drive SE
Rochester, MN 55904-7996

REFERENCE: Preliminary Plat #02-62 by Leslie A. Lurken to be known as Wedgewood Hills 6th.

Dear Ms. Garness:

Our review of the referenced preliminary plat is complete and our comments follow:

1. Static water pressures within this area will range from 59 to 76 PSI.
2. Minor revisions to the proposed water system layout are required. We have provided the applicant's engineering firm with these comments.

Please contact us at 507-280-1600 if you have questions.

Very truly yours,

Donn Richardson
Water

C: Doug Rovang, RPU
Mike Engle, RPU
Mark Baker, City Public Works
Vance Swisher, Fire Prevention Bureau
Gary Schick, Building & Safety
McGhie & Betts, Inc.
Leslie A. Lurken

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The hand to reach for...
DAVID A. KAPLER
Fire Chief

DATE: January 10, 2003

TO: Jennifer Garness, Planning

FROM: R. Vance Swisher
Fire Protection Specialist

SUBJ: Preliminary Plat #02-62
Wedgewood Hills 6th
South of Duvall Street NW along the continuation of 54th Ave NW

With regard to the above noted project plan, the fire department has the following requirements:

1. An adequate water supply shall be provided for fire protection including hydrants properly located and installed in accordance with the specifications of the Water Division. Hydrants shall be in place prior to commencing building construction.
2. Streets and roadways shall be as provided in accordance with the fire code, RCO 31 and the Zoning Ordinance and Land Development Manual. Emergency vehicle access roadways shall be serviceable prior to and during building construction.
3. All street, directional and fire lane signs must be in place prior to occupancy of any buildings.
4. All buildings are required to display the proper street address number on the building front, which is plainly visible and legible from the street fronting the property. Number size must be a minimum 4" high on contrasting background when located on the building and 3" high if located on a rural mail box at the public road fronting the property. Reflective numbers are recommended.

c: Donn Richardson, RPU, Water Division



Minnesota Department of Transportation

Minnesota Department of Transportation - District 6
Mail Stop 060
2900 48th Street N.W.
Rochester, MN 55901-5848

Office Tel: 507-280-2913
Fax: 507-285-7355
E-mail: dale.maul@dot.state.mn.us

January 7, 2003

Jennifer Garness
Rochester Olmsted Planning Department
2122 Campus Drive SE – Suite 100
Rochester, MN 55904

RE: Preliminary Plat #02-62, by Leslie A. Lurken to be known as Wedgewood Hills 6th.
The property is located along the south of Duvall Street NW and allows for the
continuation of 54th Avenue NW.

Preliminary Plat #02-64 to be known as Kingsbury Hills Fourth, by Bigelow &
Sons Enterprises. The property is located on the SE corner of 55th Street NW &
60th Avenue NW.

Preliminary Plat #02-65 to be known as Kingsbury Hills Fifth Subdivision, by
Bigelow & Sons Enterprises. The property is located east of the present dedicate
right-of-way for 51st Street NW in Kingsbury Hill Third Subdivision.

Dear Ms. Garness:

The Minnesota Department of Transportation (Mn/DOT) has reviewed the above proposals. Although these developments do not have direct access to Mn/DOT roadways, it is most likely TH 52 will be accessed via 55th Street. Mn/DOT is interested in the City of Rochester's study of traffic impacts from growth in north Rochester.

Thank you for keeping Mn/DOT informed. Any questions you have may be directed to Fred Sandal, Principal Planner, at (507) 285-7369 or Debbie Persoon-Bement, Plan and Plat Coordinator, at (507) 281-7777.

Sincerely,

A handwritten signature in cursive script, reading 'Dale E. Maul', is positioned above the typed name.

Dale E. Maul
Planning Director

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Mr. Quinn moved to recommend approval of General Development Plan #198, by Dave & Donna Geselle Trust and Lyndon Geselle Trust - Charles Geselle Trustee to be known as Villas on the Parkway based on staff-recommended findings and conditions. Mr. Hodgson seconded the motion. The motion carried 4-1, with Mr. Staver voting nay and Mr. Ohly abstaining.

CONDITIONS:

1. Prior to Final Plat submittal, and/or development of this Property, the applicant shall enter into a Development Agreement with the City that outlines the obligations of the applicant relating to, but not limited to, stormwater management, transportation improvements (including turn lanes off of West River Parkway NW), access control, pedestrian facilities, right-of-way dedication, access and extension of utilities for adjacent properties, and contributions for public infrastructure.
2. At the time of platting, controlled access shall be dedicated along the entire frontage of West River Parkway and 3rd Avenue NW with the exception of the proposed local street access (31st Street NW).
3. Storm water management must be provided for this development. A Storm Water Management fee will apply for the benefit of participation in the City's Storm Water Management Plan. During the construction of the development a temporary on-site detention facility will be required.
4. The owner is obligated to construct turn lanes off of West River Parkway NW at the location of the public street shown to West River Parkway NW. The owner is also responsible for the proportional share of the cost of the reconstruction of 3rd Avenue NW adjacent to the property.
5. Parkland dedication requirements for this development shall be met via cash in lieu of land.

Preliminary Plat #02-62, by Leslie A. Lurken to be known as Wedgewood Hills 6th. The applicant is proposing to subdivide approximately 6.68 acres of land into 25 lots for single family development and one Outlot. The plat also proposes to dedicate right-of-way for two public roads. The property is located along the south of Duvall Street NW and allows for the continuation of 54th Avenue NW.

Mr. Ohly stated he would need to abstain from voting.

Mr. Brent Svenby presented the staff report, dated January 17, 2003, to the Commission. The staff report is on file at the Rochester-Olmsted Planning Department.

The applicant's representative, Mr. Josh Johnson of McGhie & Betts, addressed the Commission. He stated that the applicant agrees with the staff-recommended conditions.

Mr. Quinn asked what area the Northwest Area Transportation Improvement District covered.

Mr. Svenby responded Wedgewood, Weatherstone, North Park, White Oaks, and Kingsbury.

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Ms. Jennifer Walter, of 5311 Pinehurst Lane NW, Rochester MN, addressed the Commission. She expressed concern with regard to drainage. She stated that she has a sump pump in her home that constantly pumps water. She stated that she has lived in her home for 2 years and her basement has been flooded 3 times. She expressed concern with the water not having anywhere to go. She explained that her back yard had a lot of standing water.

Ms. Wiesner stated that, after the plat is developed, it would improve the drainage in the area. A grading and drainage plan would be approved. She explained that the developer could not make conditions onto adjacent properties any worse than preexisting problems. She suggested that Ms. Walter speak with John Wellner at the City Public Works Department.

Mr. Johnson stated that he would speak with Ms. Walter after the meeting with regard to her drainage problem on her property.

With no one else wishing to be heard, Ms. Wiesner closed the public hearing.

Mr. Staver moved to recommend approval of Preliminary Plat #02-62, by Leslie A. Lurken to be known as Wedgewood Hills 6th with staff-recommended findings conditions. Mr. Haeussinger seconded the motion. The motion carried 5-0, with Mr. Only abstaining.

CONDITIONS:

1. The Plat shall be revised to
 - a. Provide a 30' outlot consistent with Section 64.227 of the Rochester Zoning Ordinance and Land Development Manual providing connection from the currently unplatted land located west of this plat. Staff is suggesting that the mid-block connection be placed between Lots 5 & 6, Block 1. The mid-block connection shall be dedicated to the City, with the pedestrian path links constructed at the Developer's expense concurrent with construction through the City-Owner Contract process.
2. The applicant has met the parkland dedication requirements via: Reduction in previously established credits resulting from the dedication of the ± 6 acre park in the subdivision. The applicant shall receive credits for the dedication of the 0.09 acre Outlot A of this plat. Outlot A shall be dedicated to the City and shall be graded and seeded to turf prior to dedication and this outlot shall serve as park access on the west side of Wedgewood Hills Park lying east of this plat.
3. Pedestrian Facilities shall be constructed along both sides of Duvall Street NW and 54th Avenue NW and concurrent with this development or as specified in the executed Development Agreement, the Developer is obligated to construct a 10 foot wide bituminous pedestrian path within Outlot A.
4. Stormwater Management shall be provided for this development. If participation in the City's Storm Water Management Plan (SWMP) is approved, a Storm Water Management Fee shall apply for the benefit of participation for those areas where on-site detention is not provided.
5. This property is within the area designated for the Northwest Area Transportation

Improvement District, and shall be subject to a TID area charge based on the gross acreage of the subdivision.

Preliminary Plat # 02-64 to be known as Kingsbury Hills Fourth, by Bigelow & Sons Enterprises. The plat contains 61.81 acres to be subdivided into 200 single-family home lots and 6 outlots. The plat includes a request for a Design Modification to eliminate 2 mid-block pedestrian connections between the proposed Castlevue Ave. NW & 60th Ave. and a Substantial Land Alteration Permit to allow grade changes in excess of 10 feet. The property is located at the SE corner of 55th St. NW & 60th Ave. NW.

Ms. Mitzi A. Baker presented the staff report, dated January 16, 2003, to the Commission. The staff report is on file at the Rochester-Olmsted Planning Department.

Ms. Baker stated that condition number 6 should be stated as follows (due to a typo):

6. Controlled access is required along the entire frontage of 55th St. NW, and 60th Ave. NW, with the exception of any approved street accesses. Additional controlled access is required along the entire frontage of Lot 1, Block 3, and Lot 1, Block 1 that abut 58th Ave. NW, and along the entire frontage of Lot 33, Block 1, and Lot 1, Block 2 abutting 51st St. NW, and along the entire frontages of Lot 14, Block 2, and the westerly 30.96 feet of frontage of Lot 1, Block 12, abutting Kingsbury Drive NW.

Mr. Quinn asked if separate motions needed to be made.

Ms. Baker responded that one motion could be made as long as it is clear in the motion.

The applicant's representative, Mr. Ward Opitz, of 5955 118th Avenue NW, Byron MN, addressed the Commission. He stated that he was in agreement with all of the staff recommendations.

Mr. Opitz expressed concern with condition number 13 listed in the staff report. He explained the need to know if additional right-of-way would be required or not.

Ms. Baker explained that condition number 13 was recommended because there is a land use plan amendment before the County Board requesting the land west of 60th Avenue NW be added to the Urban Service Area for the City of Rochester. With the consideration of adding the land into the Urban Service Area, it would significantly change traffic patterns and volumes along the entire corridor. Considering the potential for future urban development west of 60th Avenue NW, which previously had not been planned for, it is important to plan for transportation improvements that will be necessary to serve the area.

Ms. Wiesner asked what the time frame was.

Ms. Baker responded that staff hoped to make a determination between now and the submittal of the final plat.

Mr. Opitz responded that he planned to submit a final plat in March 2003.